

PATENT APPLICATION
DOCKET NO. 0001-0004

REMARKS

Claims 1-4, 6, 9, and 11-13 are pending in the application. Claims 1 and 9 have been amended. Claims 5, 7, 8, and 10 have been canceled, and claims 11-13 have been added. The Examiner's consideration and allowance of the pending claims is respectfully requested.

Examiner Objections

The Examiner objected to the drawings because the features recited in claims 5, 7, and 8 are not shown. Claims 5, 7, and 8 have been canceled. Therefore, the withdrawal of the objection is respectfully requested.

The Examiner objected to claims 5, 7, and 8 because the features recited therein are not shown in the drawings. Claims 5, 7, and 8 have been canceled. Therefore, the withdrawal of the objection is respectfully requested.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 1, 2, 9, and 10 under 35 U.S.C. § 102(b) as being anticipated by Levesque (US 4,393,974). Additionally, the Examiner rejected claims 1, 3, 4, 9, and 10 under 35 U.S.C. § 102(b) as being anticipated by Neely (US 4,212,415). Additionally, the Examiner rejected claims 1, 3, 4, 8, 9, and 10 under 35 U.S.C. § 102(b) as being anticipated by Bidwell (US 5,385,326). Additionally, the Examiner rejected claims 1, 3, 4, 6, 9, and 10 under 35 U.S.C. § 102(b) as being anticipated by Meyers (US 5,617,679). Additionally, the Examiner rejected claims 1, 3, 4, 6, 7, 9, and 10 under 35 U.S.C. § 102(b) as being anticipated by Kwon (US 5,742,360).

Claims 5, 7, and 8 have been canceled. The Applicant has amended independent claims 1 and 9 to clarify the claimed invention and distinguish it from the cited references. The Examiner's consideration of the amended claims is respectfully requested.

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Rejections Under 35 U.S.C. § 103

The Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Neely, Meyers, or Kwon. Claim 5 has been canceled.

The Examiner rejected claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Neely, Meyers, or Kwon. Claims 3 and 4 depend from base claim 1, which has been amended to clarify the claimed invention and distinguish it from the cited references. The withdrawal of the rejection is respectfully requested for the reasons discussed below.

Arguments

The Applicant notes that none of the cited references disclose a *jar* for storing food or other consumable goods. Levesque discloses a waterproof plastic container for a user to conceal in his anus (yuck!); Neely discloses a housing for a machine that dispenses granular material; Bidwell discloses a stack of drink coasters (not a multi-sectioned container as alleged by the Examiner); Meyers discloses a stackable riser for a septic tank (yuck again!); and Kwon discloses a case for a computer monitor.

Claim 1 has been amended to recite a multi-sectioned *jar* for storing consumable goods. The jar includes a bottom section having a bottom surface and at least one side-wall with connecting means at the top for connecting the bottom section to an upper section stacked thereon. The jar also includes at least one upper section having at least one side-wall configured at the bottom to interact with the bottom-section connecting means to connect the upper section to the bottom section. The upper-section side-wall includes at the top, connecting means for connecting the upper section, selectively, to another upper section or a lid. The upper section is operable to be removed from the bottom section when the consumable goods are consumed to a level that is below the bottom of the upper section. The jar also includes a lid configured to connect, selectively, to the upper section or to the bottom section when the upper section is removed.

Basis for the amendments to claim 1 is found in the originally filed specification in paragraphs [0002], [0003], and [0022].

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Claim 9 has been amended to recite a multi-sectioned jar for storing food. The jar includes a bottom section; a first tubular upper section that stacks on, and removably connects to, the bottom section; and a lid configured to connect, selectively, to the first tubular upper section, or to the bottom section when the first tubular upper section is removed. The bottom section includes a bottom surface and a side-wall that includes, at a top portion thereof, a connector for connecting the bottom section to the first tubular upper section. The first tubular upper section is configured in a bottom portion thereof to connect to the bottom-section connector. The first tubular upper section includes a connector at a top portion thereof to connect to the lid. The first tubular upper section is operable to be removed from the bottom section when the food stored in the container is consumed to a level that is below the bottom of the first tubular upper section.

Basis for the amendments to claim 9 is found in the originally filed specification in paragraphs [0002], [0003], and [0022].

Claim 11 has been added to recite a second tubular upper section identical to the first tubular upper section for connecting to the top of the first tubular section when a quantity of food is added to the jar that raises the level of the food above the top of the first tubular upper section. The second tubular upper section is operable to be removed from the first tubular upper section when the food stored in the container is consumed to a level that is below the bottom of the second tubular upper section.

Basis for new claim 11 is found in the originally filed specification in paragraphs [0002], [0003], [0019] and [0022].

None of the cited references teach or suggest a jar as recited in independent claims 1 and 9 for storing food and other consumable goods. There has been a long-felt, unfulfilled need for a multi-sectioned food container that can be reduced in height as the food is consumed. The Applicant contends that a person of ordinary skill in the art of storage jars for food or other consumable goods would not look to anal suppository containers, machines that dispense granular materials (e.g., fertilizer spreaders); stacks of drink coasters, septic tanks, or cases for computer monitors to find a solution for this problem.

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Therefore, the Applicant contends that it would not have been obvious to one of ordinary skill in the art to modify any of the cited references to provide a multi-sectioned jar for food or other consumable goods, as claimed. Therefore, the allowance of claims 1 and 9 is respectfully requested.

Dependent claims 2-4 and 6 depend from amended claim 1 and recite additional limitations in combination with the novel elements of claim 1. Dependent claim 11 depends from amended claim 9 and recites additional limitations in combination with the novel elements of claim 9. Therefore, the allowance of claims 2-4, 6 and 11 is respectfully requested.

New claim 12 recites an alternative embodiment of the multi-sectioned jar that is utilized as a flower vase. Claim 12 recites a multi-sectioned vase for holding and displaying flowers. The vase includes a cylindrical bottom section having a bottom surface and a circular side-wall forming a bottom chamber that is open at a top end. The bottom section has a height sufficient to stably hold and display short-stemmed flowers in the bottom chamber. The bottom-section side-wall includes at a top portion thereof, connecting means for connecting the bottom section to a cylindrical upper section stacked thereon. The vase also includes a first cylindrical upper section that is open at both a top end and a bottom end. The first upper section has a circular side-wall configured in a bottom portion thereof to interact with the bottom-section connecting means to removably connect the first upper section to the bottom section. The first upper section has a height sufficient to stably hold and display long-stemmed flowers when the first upper section is stacked on and connected to the bottom section.

Basis for new claim 12 (and dependent claim 13) is found in the originally filed specification in paragraph [0005].

The Applicant also contends that none of the cited references teach or suggest a flower vase as recited in independent claim 12. There has been a long-felt, unfulfilled need for a multi-sectioned flower vase that can be selectively increased or reduced in height for long-stem or short-stem flowers, respectively. The Applicant contends that a person of ordinary skill in the art of flower vases would not look to anal suppository containers, machines that dispense granular materials (e.g., fertilizer spreaders); stacks of drink coasters, septic tanks, or cases for computer monitors to find a solution for this problem.

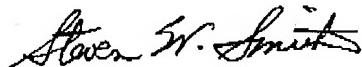
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Therefore, the Applicant contends that it would not have been obvious to one of ordinary skill in the art to modify any of the cited references to provide a multi-sectioned vase for holding and displaying flowers, as claimed. Therefore, the allowance of claim 12 is respectfully requested.

Dependent claim 13 depends from claim 12 and recites additional limitations in combination with the novel elements of claim 12. Therefore, the allowance of claim 13 is respectfully requested.

For all the above reasons, the allowance of claims 1-4, 6, 9, and 11-13 is respectfully requested.

Respectfully submitted,



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